

### III. REMARKS

Claims 1-21 are pending in this application. By this amendment, claims 1, 7, 10 and 16 have been amended. Applicants do not acquiesce in the correctness of the rejections and reserve the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicants reserve the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

In the Office Action, claims 16-21 are rejected under 35 U.S.C. §101 as allegedly not being limited to tangible embodiments. Applicants have amended claim 16 to more clearly specify non-signal elements.

Claims 1, 3, 10, 12, 16 and 18 are rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Endo (U.S. Patent Pub. No. 2004/0212841), hereafter “Endo.” Claims 4, 7, 13 and 19 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Endo in view of Olejar *et al.* (U.S. Patent Pub. No. 2003/0037100), hereafter “Olejar.” Claims 2, 11 and 17 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Endo in view of Deng (U.S. Patent No. 6,243,394), hereafter “Deng.” Claims 5, 14 and 20 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Endo in view of Lakshman *et al.* (U.S. Patent No. 6,078,564), hereafter “Lakshman.” Claims 6, 15 and 21 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Endo in view of Harris Jr. *et al.* (U.S. Patent No. 6,144,975), hereafter “Harris.” Claim 8 is rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Endo and Olejar and further in view of Lakshman. Claim 9 is rejected under 35 U.S.C.

§103(a) as allegedly being unpatentable over Endo, Olejar and Lakshman and further in view of Harris.

Applicants thank the Examiner for the telephone interview of July 18, 2011, with their representative, Hunter E. Webb. A proposed amendment was submitted in advance of the interview and is reflected in the claims as amended. In the interview, Applicants' representative discussed the claimed invention in light of the Examiner's rejection under 35 U.S.C. §101. Additionally, Applicants' representative discussed features of the claimed invention that Applicants assert are not disclosed by Endo, including those features included in the above claims as amended. For example, Applicants discussed ways to distinguish the transaction type of the claimed invention from modes of transmitting data. The Examiner suggested an Amendment "...a transaction type that defines a content of the data," which Applicants have included in the amended claim. The Examiner agreed with Applicants that the amendment would serve to overcome the rejection under 35 U.S.C. §101, but indicated that further search would be required regarding the substantive rejection.

#### **REJECTION OF CLAIMS 1, 3, 10, 12, 16 AND 18 UNDER 35 U.S.C. §102(e)**

With regard to the 35 U.S.C. §102(e) rejection over Endo, Applicants assert that Endo does not teach each and every feature of the claimed invention. For example, with respect to independent claims 1, 10 and 16, Applicants respectfully continue to submit that Endo fails to disclose transforming data and alternate data which are received in different formats into two sets of transformed data which are in different formats. In contrast, Endo describes the function of a document transmission controller, which "designates the document input source (the scanner 210

or the HD drive 205) of document data.” Para. 0065, citing FIG. 3. To this extent, Endo teaches that its document data may be from one or two document sources. One source is a scanner. The other is the HD drive to which documents from the scanner have previously been saved. In either case the format of the document is the same. As such, the passage of Endo relied on by the Office does not teach multiple sets of document data in different formats, depending of the source. Rather, the document on the HD drive has an identical format to that of the scanned document, being simply a saved version of the same document in the same format that was yielded by the scanner.

The Office further attempts to show multiple input formats with a passage in Endo that recites “...the document transmission controller 302 provides a data transmission format to the format converter 308 in accordance with the classified *destination* list.” Para. 0065, citing FIG. 3, *emphasis added*. To this extent, even though the above passage discloses multiple formats, it does so only with respect to the destination format. This is supported by the fact that the format that is provided to the format converter is provided based on the *destination*, i.e., “...in accordance with the destination list.” Para. 0065. As such, the format that the document transmission controller of Endo provides is not the format for the source but rather the format for the destination. A format converter of Endo then converts the input document data to data in the designated data transmission format. Para. 0065, citing FIG. 3. Thus, Endo, while having a mechanism to deal with multiple destination formats discloses no such mechanism to deal with multiple source formats.

The Office, although failing to specifically address the subject of multiple source formats in the Response to Arguments section of its most recent Office Action, has previously stated that

“since different scanner or similar device may scan and save the data in various format, the input document need not necessary be of the same format.” However, nowhere does Endo explicitly disclose that this is the case for its format converter. To this extent, Endo fails to disclose receiving inbound data in different formats, selecting an outbound format based on all of the inbound format, source, destination and content of the data and converting the data into any format that is selected. Accordingly, in the case that this argument continues to reflect the Office’s thinking, Applicants submit that the Office’s prior factual statement is unsubstantiated and amounts to Official Notice and request that the Office specify its rationale for the rejection, withdraw the rejection or provide references that teach this feature.

To this extent, the conversion of Endo that is from a single format (i.e., that of a scanned document retrieved directly from the scanner or from a saved scan) to a number of formats does not accomplish the many to many conversion of the claimed invention. This is because Endo does not teach multiple sets of input document data having different formats. Instead, the input document data of Endo is always in the same format, i.e. inputted from a scanner or the like.

Abstract. Accordingly, Applicants request that the rejection be withdrawn.

With further respect to independent claims 1, 10 and 16, Applicants submit that Endo also fails to teach receiving, on the server, data to be routed from a source to a destination, the data having the destination and a transaction type that defines a content of the data. The Office equates the transaction type of the claimed invention with the transmission methods such as email, ftp, fax of Endo. Office Action, page 4, citing Endo, FIGS. 4-8; pp. 0055-0056, 0060-0065. To this extent, the transmission methods of Endo indicate the manner in which the document data is to be transmitted and do not define the content of the data itself, e.g., an order

or an invoice. This distinction is further borne out in the language of the claims in which the *format* of the data is claimed separately from the transaction type that defines the *content* of the data. To this extent, Endo teaches no identification of the content of the data that is separate from its format and used to select the outgoing data format.

In contrast, the claimed invention includes “...receiving, on the server, data to be routed from a source to a destination, the data having the destination and a transaction type that defines a content of the data.” Claim 1. As such, unlike the transmission methods of Endo, which indicate the manner in which the document data is to be transmitted, the transaction type that is included in the data of the claimed invention defines the content of the data. This transaction type is distinct from the format of the transaction as evidenced by the claiming of each as a distinct feature. For example, referring to Fig. 3 of the specification the transaction type may distinguish between invoices and orders while the format distinguishes between formats X, Y and Z. Thus, the transaction type as included in the claimed invention is not taught by the transmission methods of Endo, which are merely formats. Accordingly, Applicants respectfully request that the Office withdraw its rejection.

With respect to dependent claims, Applicants herein incorporate the arguments presented above with respect to the independent claims from which the claims depend. Furthermore, Applicants submit that all dependant claims are allowable based on their own distinct features. Since the cited art does not teach each and every feature of the claimed invention, Applicants respectfully request withdrawal of this rejection.

## **B. REJECTION OF CLAIMS 2, 4-9, 11, 13-15, 17 and 19-21 UNDER 35 U.S.C. §103(a)**

With regard to the 35 U.S.C. §103(a) rejections, Applicants submit that the combined features of the cited art fail to teach each and every feature of the claimed invention. For example, with respect to independent claim 7, as argued above with respect to independent claims 1, 10 and 16, Endo fails to teach or suggest receiving, on the server, data to be routed from a source to a destination, the data having the destination and a transaction type that defines a content of the data. Furthermore, with respect to independent claim 7, as argued above with respect to independent claims 1, 10, and 16, Endo fails to teach or suggest receiving two different transmissions in two different formats, selecting an outbound format for each based on all of the inbound format, source, destination and content of the data and converting each of the two into any format that is selected, respectively. The other cited references do not cure this deficiency. Accordingly, Applicants respectfully request that the Office withdraw its rejection.

With regard to the Office's arguments regarding dependent claims, Applicants herein incorporate the arguments presented above with respect to independent claims listed above. In addition, Applicants submit that all dependant claims are allowable based on their own distinct features. However, for brevity, Applicants will forego addressing each of these rejections individually, but reserve the right to do so should it become necessary. Accordingly, Applicants respectfully request that the Office withdraw its rejection.

## **IV. CONCLUSION**

In addition to the above arguments, Applicants submit that each of the pending claims is patentable for one or more additional unique features. To this extent, Applicants do not

acquiesce to the Office's interpretation of the claimed subject matter or the references used in rejecting the claimed subject matter. Additionally, Applicants do not acquiesce to the Office's combinations and modifications of the various references or the motives cited for such combinations and modifications. These features and the appropriateness of the Office's combinations and modifications have not been separately addressed herein for brevity. However, Applicants reserve the right to present such arguments in a later response should one be necessary.

In light of the above, Applicants respectfully submit that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the number listed below.

Respectfully submitted,

/Hunter E. Webb/

Date: July 18, 2011

---

Hunter E. Webb  
Reg. No.: 54,593

Hoffman Warnick LLC  
75 State Street, 14<sup>th</sup> Floor  
Albany, New York 12207  
(518) 449-0044  
(518) 449-0047 (fax)